

Remarks/Arguments

Claims 1-24 were pending in the application with claims 3, 6, 10, 22, and 23 having been previously withdrawn. By this amendment, claims 1-5, 7, 10-12, 14, 15, 17, 19, 20, 21, and 24 are amended and the applicants respectfully request reinstatement of claims 3, 6, 10, 22 and 23. Claims 3, 22, and 23 were not listed in this action as withdrawn, but are treated as such herein until formally reinstated. Thus, claims 1-24 remain pending. Independent claims 1, 7, 17 and 19 are amended as agreed to by the examiner in a phone interview. Dependent claims 2-5, 10-13, 14-15, 20-21 and 24 are amended to provide proper antecedent basis for terms therein due to the amendments of independent claims 1, 7, 17 and 19. Support for the amendments may be found in the specification and claims as originally filed. No new matter is added. Reconsideration and withdrawal of the objections and rejections are respectfully solicited in view of the foregoing amendments and the following arguments.

Initially, the applicants thank the examiner for recognition of the allowable subject matter in claim 7. Claim 7 is rewritten in independent form including all limitations of the claims from which it depended. As such, the applicants submit that claim 7 is now allowable. In view of the 35 U.S.C. § 112 comments below, the applicants respectfully request withdrawal of the rejection of claim 7.

Applicants' Interview Summary

The applicants thank the examiner for conducting a telephone interview. The interview was conducted on June 10, 2005, and the participants were Examiner Thompson, Bryan Lempia and Michael Chinlund.

Agreements were reached with the examiner regarding claim amendments that overcome the rejections. This paper reflects the substance of the interview and the agreement as to the claims.

35 U.S.C. § 112 Rejections

By this amendment, references to "a tipping moment" are removed from claims 1, 4, 5, 12, 14, 15, 17, 20 and 21 and the word "solely" is removed from claims 1 and 17. Additionally, the apparent ambiguity of claim 24 is resolved by the amendments to independent claim 17 from which claim 24 ultimately depends. Further, the examiner's

concerns regarding claims 4 and 20 are addressed by reciting a pattern of openings and a pattern of receptacles.

Moreover, amended claim 7 positively recites a long handled tool disposed in the storage device that creates a tipping moment on the storage device.

Thus, claims 1-5, 7-9, 11-18 and 20-24 particularly point out and distinctly claim the subject matter which the applicants regard as the invention. Accordingly, the applicants respectfully request that the 35 U.S.C. § 112 rejections be withdrawn.

35 U.S.C. § 102 and § 103 Rejections

Claims 1-5, 8, 9, 13, 14, 16-18, and 20-23 were rejected as anticipated by U.S. Patent No. 4,460,709 to Hurt ("Hurt"). Claims 11-12, 15 and 19 were rejected as obvious over Hurt in view of either U.S. Patent No. 6,508,369 to Wang ("Wang") or U.S. Patent No. 3,643,812 to Mander et al. ("Mander").

Hurt fails to teach or suggest all of the limitations of amended claims 1-5, 8, 9, 13, 14, 16-18, and 20-23. Thus, the applicants respectfully request withdrawal of the rejection of these claims.

The combinations of Hurt with either Mander or Wang fail to teach or suggest all of the limitations of amended claims 11, 12, 15 and 19. Thus, the obviousness rejection of these claims should also be withdrawn.

Reinstatement of Claims 3, 6, 10, 22 and 23

The applicants respectfully request reinstatement of previously withdrawn claims 3, 6, 10, 22 and 23. The applicants and the examiner have agreed to allowable generic claims 1 and 17. The withdrawn claims are species of the these allowable generic claims. Thus, the applicants respectfully request reinstatement and allowance of claims 3, 6, 10, 22, and 23 which depend from allowable generic base claim 1 or 17. Claims 3 and 10 are amended herein to correspond to the base claim amendments in the event they are reinstated.

Conclusion

For the reasons stated above, the applicants submit that the specification and claims are in proper form and the claims clearly define patentable subject matter with respect to the cited art. Enclosed is a petition for a one-month extension of time, a check in the amount of \$120.00 for the one-month extension, and a check in the amount of \$200.00 for one additional independent claim. If there are any additional fees or refunds required, the

Commissioner is directed to charge or debit Deposit Account No. 13-2855 of Marshall, Gerstein & Borun LLP. A copy of this paper is enclosed herewith.

If there are remaining issues that can be discussed by telephone, the applicants respectfully request that the Examiner call the undersigned at the number listed below.

Dated: June 27, 2005

Respectfully submitted,

By 

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